



Legislation Details (With Text)

File #: 21-0199

Type: Consent **Status:** Agenda Ready

In control: Board of County Commissioners

On agenda: 1/5/2021 **Final action:**

Title: ACCEPTANCE OF A UTILITY EASEMENT FROM LPP PALM CITY, LLC, FOR WATER AND FIRE SERVICES ON THE NORTH SIDE OF SW MARTIN HIGHWAY, PALM CITY

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map.pdf, 2. Resolution.pdf, 3. Executed Utility Easement Pkg.pdf

Date	Ver.	Action By	Action	Result
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PLACEMENT: Consent

TITLE:

ACCEPTANCE OF A UTILITY EASEMENT FROM LPP PALM CITY, LLC, FOR WATER AND FIRE SERVICES ON THE NORTH SIDE OF SW MARTIN HIGHWAY, PALM CITY

EXECUTIVE SUMMARY:

This is a request for the adoption of a Resolution accepting and approving a Utility Easement from LPP Palm City, LLC, a Delaware limited liability company, for water and fire services on the north side of SW Martin Highway in Palm City.

DEPARTMENT: Utilities and Solid Waste

PREPARED BY: **Name:** Carla T. Segura, FRP
Title: Real Property Manager

REQUESTED BY: Samuel Amerson, Director, Utilities and Solid Waste Department

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

1. Utility Easement Prepared By: Martin County
2. Parties to the Easement: LPP Palm City, LLC, Grantor
Martin County, Grantee
3. Purpose of the Easement: To allow for water and fire services

- | | |
|-------------------------------|--|
| 4. New/Renewal/Modified: | New |
| 5. Duration: | Perpetual |
| 6. Benefits to Martin County: | Addition of a new easement to the County utility network |
| 7. Cost to Martin County: | None |

The Real Property Division has confirmed ownership of the easement premises in LPP Palm City, LLC, a Delaware limited liability company.

The easement premises are encumbered by a Mortgage, Security Agreement and Fixture Filing held by Protective Life Insurance Company, a Tennessee corporation, dated November 12, 2019, and recorded November 13, 2019, in Official Records Book 3094, Page 390, Martin County, Florida, public records, to which a Consent of Mortgagee instrument has been executed and attached to the easement.

Sec. 139.31 and 139.32, General Ordinances, Martin County Code require that any conveyance of an interest in land to Martin County for any public purpose shall be accepted and approved by Resolution from the Board of County Commissioners of Martin County.

ISSUES:

None

LEGAL SUFFICIENCY REVIEW:

This item has been reviewed for legal sufficiency to determine whether it is consistent with applicable law, has identified and addressed legal risks, and has developed strategies for legal defensibility.

RECOMMENDED ACTION:

RECOMMENDATION

Move that the Board adopt the Resolution accepting and approving the Utility Easement from LPP Palm City, LLC, a Delaware limited liability company, and authorize the Chair to execute any and all documents associated with this transaction

ALTERNATIVE RECOMMENDATIONS

Pull this item from Consent Agenda and direct staff with an alternate recommendation.

FISCAL IMPACT:

RECOMMENDATION

Title and recording fees to be paid by USD.

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- ☐ Budget Transfer / Amendment ☐ Chair Letter ☐ Contract / Agreement
☐ Grant / Application ☐ Notice ☐ Ordinance ☒ Resolution
☐ Other:

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